

## CONDOMINIUM PUBLIC REPORT

Prepared &

Issued by:

Developer Joy International, Inc.

Business Address 201 Ohua Avenue, #302-I, Honolulu, Hawaii 96815

Project Name(\*): 1718 ANAPUNI

Address: 1718 Anapuni Street, Honolulu, Hawaii 96822

Registration No. 1206  
(Conversion)

Effective date: September 22, 2008

Expiration date: October 22, 2009

### Preparation of this Report:

This report has been prepared by the Developer pursuant to the Condominium Property Act, Chapter 514A, Hawaii Revised Statutes, as amended. This report is not valid unless the Hawaii Real Estate Commission has issued a registration number and effective date for the report.

This report has not been prepared or issued by the Real Estate Commission or any other government agency. Neither the Commission nor any other government agency has judged or approved the merits or value, if any, of the project or of purchasing an apartment in the project.

**Buyers are encouraged to read this report carefully, and to seek professional advice before signing a sales contract for the purchase of an apartment in the project.**

Expiration Date of Reports. Preliminary Public Reports and Final Public Reports automatically expire thirteen (13) months from the effective date unless a Supplementary Public Report is issued or unless the Commission issues an order, a copy of which is attached to this report, extending the effective date for the report.

Exception: The Real Estate Commission may issue an order, a copy of which shall be attached to this report, that the final public report for a two apartment condominium project shall have no expiration date.

### Type of Report:

- |  |   |
|--|---|
| <input type="checkbox"/> <b>PRELIMINARY:</b><br>(yellow)                       | The developer may not as yet have created the condominium but has filed with the Real Estate Commission minimal information sufficient for a Preliminary Public Report. A Final Public Report will be issued by the developer when complete information is filed. |
| <input type="checkbox"/> <b>FINAL:</b><br>(white)                              | The developer has legally created a condominium and has filed complete information with the Commission.<br>[ ] No prior reports have been issued.<br>[ ] This report supersedes all prior public reports<br>[ ] This report must be read together with _____      |
| <input checked="" type="checkbox"/> <b>SECOND<br/>SUPPLEMENTARY:</b><br>(pink) | This report updates information contained in the:<br>[ ] Preliminary Public Report dated: _____<br>[ ] Final Public Report dated: _____<br>[X] Supplementary Public Report dated: <u>August 14, 2006</u>  |
| And  | [ ] Supersedes all prior public reports.<br>[X] Must be read together with <u>Supplementary Public Report dated August 14, 2006</u><br>[ ] This report reactivates the _____<br>public report(s) which expired on _____   |

(\*) Exactly as named in the Declaration

*This material can be made available for individuals with special needs. Please call the Senior Condominium Specialist at 586-2643 to submit your request.*

FORM:RECO-30 286/986/189/1190/892/0197/1098/0800/0203/0104/0107

**Disclosure Abstract:** Separate Disclosure Abstract on this condominium project:

[X] Required and attached to Supplementary Public Report as Exhibit H [ ] Not Required - Disclosures covered in this report.

**Summary of Changes from Earlier Public Reports:**

This summary contains a general description of the changes, if any, made by the developer since the last public report was issued. It is not necessarily all inclusive. Prospective buyers should compare this public report with the earlier reports if they wish to know the specific changes that have been made.

[ ] No prior reports have been issued by the developer.

[ X] Changes made are as follows:

1. Parking Stalls were reassigned pursuant to Amendment No. 2 to Declaration of Condominium Property Regime of 1718 Anapuni dated October 11, 2007, filed in the Office of the Assistant Registrar of the Land Court of the State of Hawaii as Document No. 3671372 ("Amendment No. 2").
2. Section A.1 of the Rules and Regulations has been amended so that the number of occupants in an Apartment shall not exceed that allowed by law. Previously, the occupancy was limited to not more than two (2) adults and one (1) child.
3. An updated title report dated August 8, 2008, from Title Guaranty of Hawaii, Inc. has been submitted to the Real Estate Commission to reflect the changes to the assignment of Parking Stalls in Amendment No. 2. The new Parking Stall assignments are reflected on page 11a to this Short Form Supplementary Report, and a new Exhibit E attached hereto reflects the new Amendment No. 2.

<p><b>SPECIAL ATTENTION SHOULD BE GIVEN TO THE ADDITIONAL INFORMATION (PAGES 20-20d) AND THE SUMMARY OF RIGHTS RESERVED TO THE DEVELOPER (EXHIBIT "A")</b></p>
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**"PLEASE SEE PAGE 2a"**

## II. CREATION OF THE CONDOMINIUM; CONDOMINIUM DOCUMENTS

A condominium is created by recording in the Bureau of Conveyances and/or filing with the Land Court a Declaration of Condominium Property Regime, a Condominium Map (File Plan), and the Bylaws of the Association of Apartment Owners. The Condominium Property Act (Chapter 514A, HRS), the Declaration, Bylaws, and House Rules control the rights and obligations of the apartment owners with respect to the project and the common elements, to each other, and to their respective apartments. The provisions of these documents are intended to be, and in most cases are, enforceable in a court of law.

A. **Declaration of Condominium Property Regime** contains a description of the land, buildings, apartments, common elements, limited common elements, common interests, and other information relating to the condominium project.

The Declaration for this condominium is:

<input type="checkbox"/> Proposed		
<input type="checkbox"/> Recorded	- Bureau of Conveyances	Document No. _____ Book _____ Page _____
<input checked="" type="checkbox"/> Filed	- Land Court	Document Number <u>989272</u>

The Declaration referred to above has been amended by the following instruments [state name of document, date and recording/filing information]: Amendment No. 1 and Restatement of Declaration of Condominium Property Regime of 1718 Anapuni dated June 20, 2006 and filed as Land Court Document No. 3444033; Amendment No. 2 to Declaration of Condominium Property Regime of 1718 Anapuni dated October 11, 2007 and filed as Land Court Document No. 3671372.

B. **Condominium Map (File Plan)** shows the floor plan, elevation and layout of the condominium project. It also shows the floor plan, location, apartment number, and dimensions of each apartment.

The Condominium Map for this condominium project is:

<input type="checkbox"/> Proposed		
<input type="checkbox"/> Recorded	- Bureau of Conveyances	Condominium Map No. _____
<input checked="" type="checkbox"/> Filed	- Land Court	Condominium Map No. <u>402</u>

The Condominium Map has been amended by the following instruments [state name of document, date and recording/filing information]:

C. **Bylaws of the Association of Apartment Owners** govern the operation of the condominium project. They provide for the manner in which the Board of Directors of the Association of Apartment Owners is elected, the powers and duties of the Board, the manner in which meetings will be conducted, whether pets are prohibited or allowed and other matters which affect how the condominium project will be governed.

The Bylaws for this condominium are:

<input type="checkbox"/> Proposed		
<input type="checkbox"/> Recorded	- Bureau of Conveyances	Document No. _____ Book _____ Page _____
<input checked="" type="checkbox"/> Filed	- Land Court	Document Number <u>989272</u>

The Bylaws referred to above have been amended by the following instruments [state name of document, date and recording/filing information]: Amendment No. 1 and Restatement of Bylaws of the Association of Apartment Owners of 1718 Anapuni dated June 20, 2006 and filed in the Land Court as Document No. 3444034.

D. **House Rules.** The Board of Directors may adopt House Rules to govern the use and operation of the common elements and limited common elements. House rules may cover matters such as parking regulations, hours of operation for common facilities such as recreation areas, use of lanais and requirements for keeping pets. These rules must be followed by owners, tenants, and guests. They do not need to be recorded or filed to be effective. The initial House Rules are usually adopted by the developer.

The House Rules for this condominium are:

☐ Proposed                      ☒ Adopted                      ☐ Developer does not plan to adopt House Rules

Amended by Consent Amending Rules and Regulations of 1718 Anapuni dated March 3, 2008.

E. **Changes to Condominium Documents.** Changes to the Declaration, Condominium Map, and Bylaws are effective only if they are duly adopted and recorded and/or filed. Changes to House Rules do not need to be recorded or filed to be effective.

1. **Apartment Owners:** Minimum percentage of common interest which must vote for or give written consent to changes:

	<u>Minimum Set by Law</u>	<u>This Condominium</u>
Declaration (and Condo Map)	75%*	<u>75%</u>
Bylaws	65%	<u>65%</u>
House Rules	---	<u>Majority of Board of Directors</u>

\* The percentages for individual condominium projects may be more than the minimum set by law for projects with five or fewer apartments.

2. **Developer:**

☐ No rights have been reserved by the developer to change the Declaration, Condominium Map, Bylaws or House Rules.

☒ Developer has reserved the following rights to change the Declaration, Condominium Map, Bylaws or House Rules:

**See attached Exhibit "A"**

5. Special Use Restrictions:

The Declaration and Bylaws may contain restrictions on the use and occupancy of the apartments. Restrictions for this condominium project include but are not limited to:

[ X ] Pets Please see p. 20, Section VI.3.k of the Restated Bylaws for provisions on restrictions of pets.

[ X ] Number of Occupants: not to exceed that allowed by law (House Rules)

[ X ] Other: Please ask to see 1718 Anapuni Street Rules & Regulations ("House Rules") adopted June 20, 2006 and see Section 8.1 of the Restated Declaration (on Use of Apartments).

[ ] There are no special use restrictions.

6. Interior (fill in appropriate numbers):

Elevators: 1 Stairways: -0- Trash Chutes: -0-

<u>Apt. Type</u>	<u>Quantity</u>	<u>BR/Bath</u>	<u>Net Living Area (sf)*</u>	<u>Net Other Area (sf)</u>	<u>(Identify)</u>
<u>Please</u>	<u>          </u>	<u>          </u>	<u>          </u>	<u>          </u>	<u>          </u>
<u>see</u>	<u>          </u>	<u>          </u>	<u>          </u>	<u>          </u>	<u>          </u>
<u>p. 11a</u>	<u>          </u>	<u>          </u>	<u>          </u>	<u>          </u>	<u>          </u>
<u>attached</u>	<u>          </u>	<u>          </u>	<u>          </u>	<u>          </u>	<u>          </u>
<u>hereto</u>	<u>          </u>	<u>          </u>	<u>          </u>	<u>          </u>	<u>          </u>

Total Number of Apartments: 28

**\*Net Living Area is the floor area of the apartment measured from the interior surface of the apartment perimeter walls, excluding the Garage, Lanai and Balcony.**

**Other documents and maps may give floor area figures which differ from those above because a different method of determining the floor area may have been used.**

Boundaries of Each Apartment:

Perimeter walls, floors and ceilings.

Permitted Alterations to Apartments:

**See attached Exhibit "B"**

Apartments Designated for Owner-Occupants Only:

Fifty percent (50%) of **residential** apartments must be so designated; developer has a right to substitute similar apartments for those apartments already designated. Developer must provide this information either in a published announcement or advertisement as required by section 514A-102, HRS; or include the information here in this public report and in the announcement (see attachment 11a). Developer has elected to provide the information in a published announcement or advertisement.

## Apartments

<u>APT. NO.</u>	<u>TYPE</u>	<u>NET LIVING APT. AREA (Sq. ft.)</u>	<u>NET LANAI AREA(Sq. ft.)</u>	<u>PARKING STALL NO.</u>	<u>COMMON INTEREST</u>
201	E	316	176	14	3.571%
202	D	324	88		3.571%
203	C	324	88		3.571%
204	B	324	88		3.571%
205	A	325	97	9	3.571%
301	E	316	176	4	3.571%
302	D	324	88	2	3.571%
303	C	324	88	18	3.571%
304	B	324	88	1	3.571%
305	A	325	97	10	3.571%
401	E	316	176	5	3.571%
402	D	324	88	25C	3.571%
403	C	324	88	6	3.571%
404	B	324	88	7C	3.571%
405	A	325	97	8C	3.571%
501	E	316	176	3	3.571%
502	D	324	88	16	3.571%
503	C	324	88	15	3.571%
504	B	324	88	20C	3.571%
505	A	325	97	21C	3.571%
601	E	316	176	24	3.571%
602	D	324	88	19	3.571%
603	C	324	88	17	3.571%
604	B	324	88	13C	3.571%
605	A	325	97	12	3.571%
701	E	316	176	22	3.575%
702	D	324	88	23	3.575%
703	F	324	88	11	3.575%
					100.00%

NOTE: All apartments are Studios with one bath

2. Limited Common Elements: Limited Common Elements are those common elements which are reserved for the exclusive use of the owners of certain apartments.

☐ There are no limited common elements in this project.

☒ The limited common elements and the apartments which use them, as described in the Declaration, are:

☒ described in Exhibit "D".

☐ as follows:

Note: Reference in said Exhibit "D" to "Exclusive Use Area" does not mean legally subdivided Lots.

3. Common Interest: Each apartment will have an undivided fractional interest in all of the common elements. This interest is called the "common interest." It is used to determine each apartment's share of the maintenance fees and other common profits and expenses of the condominium project. It may also be used for other purposes, including voting on matters requiring action by apartment owners. The common interests for the apartments in this project, as described in the Declaration, are:

☐ described in Exhibit \_\_\_\_\_.

☒ as follows:

Each Apartment has a common interest of 3.571% except that Apartments 701, 702 and 703 each has a common interest of 3.575%.

- E. Encumbrances Against Title: An encumbrance is a claim against or a liability on the property or a document affecting the title or use of the property. Encumbrances may have an adverse effect on the property or your purchase and ownership of an apartment in the project.

Exhibit E describes the encumbrances against the title contained in the title report dated August 8, 2008, and issued by Title Guaranty of Hawaii, Inc.

2. Rights Under the Sales Contract: Before signing the sales contract, prospective buyers should ask to see and carefully review all documents relating to the project. If these documents are not in final form, the buyer should ask to see the most recent draft. These include but are not limited to the:
- A) Condominium Public Reports issued by the developer which have been issued an effective date by the Hawaii Real Estate Commission.
  - B) Declaration of Condominium Property Regime, as amended.
  - C) Bylaws of the Association of Apartment Owners, as amended.
  - D) House Rules, if any.
  - E) Condominium Map, as amended.
  - F) Escrow Agreement.
  - G) Hawaii's Condominium Property Act (Chapter 514A, HRS, as amended) and Hawaii Administrative Rules, (Chapter 16-107, adopted by the Real Estate Commission, as amended).
  - H) Other: \_\_\_\_\_

Copies of the condominium and sales documents and amendments made by the developer are available for review through the developer or through the developer's agents, if any. The Condominium Property Regime law (Chapter 514A, HRS) and the Administrative Rules (Chapter 107) are available online. Please refer to the following sites:

Website to access official copy of laws: [www.capitol.hawaii.gov](http://www.capitol.hawaii.gov)  
Website to access unofficial copy of laws: [www.hawaii.gov/dcca/hrs](http://www.hawaii.gov/dcca/hrs)  
Website to access rules: [www.hawaii.gov/dcca/har](http://www.hawaii.gov/dcca/har)

This Public Report is a part of Registration No. 1206 filed with the Real Estate Commission on November 26, 1979.

Reproduction of Report. When reproduced, this report must be on:

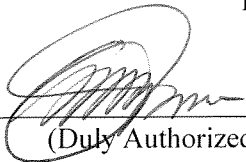
☐ YELLOW paper stock                      ☐ WHITE paper stock                      ☒ PINK paper stock



- D. The developer declares subject to the penalties set forth in section 514A-49(b) that this project is in compliance with all county zoning and building ordinances and codes, and all other county permitting requirements applicable to the project, pursuant to Act 251 (SLH 2000) [Section 514A-1.6] (The developer is required to make this declaration for issuance of an effective date for a final public report.)
- E. The developer hereby certifies that all the information contained in this Report and the Exhibits attached to this Report and all documents to be furnished by the developer to buyers concerning the project have been reviewed by the developer and are, to the best of the developer's knowledge, information and belief, true, correct and complete.

JOY INTERNATIONAL, INC.

Printed Name of Developer

By   
(Duly Authorized Signatory)\*

Aug. 14 '08  
Date

Kenji Iwasa as Secretary of Joy International, Inc.

Printed Name & Title of Person Signing Above

Distribution:

Department of Finance, City and County of Honolulu  
Planning Department, City and County of Honolulu

***\*Must be signed for a: corporation by an officer; partnership or Limited Liability Partnership (LLP) by the general partner; Limited Liability Company (LLC) by the manager or member; and for an individual by the individual.***

EXHIBIT "E"

ENCUMBRANCES AGAINST TITLE

1. Any and all Real Property Taxes that may be due and owing. Check with the City and County Real Property Tax Assessment Department for further information.
2. Reservation in favor of the State of Hawaii of all mineral and metallic mines.
3. The terms and provisions contained in the following:

INSTRUMENT : AMENDMENT NO. 1 AND RESTATEMENT OF  
DECLARATION OF CONDOMINIUM PROPERTY  
REGIME OF 1718 ANAPUNI

DATED : June 20, 2006  
FILED : Land Court Document No. 3444033  
MAP : 402 and any amendments thereto

Said AMENDMENT NO. 1 AND RESTATEMENT OF DECLARATION OF CONDOMINIUM PROPERTY REGIME OF 1718 ANAPUNI was amended by AMENDMENT NO. 2 TO DECLARATION OF CONDOMINIUM PROPERTY REGIME OF 1718 ANAPUNI, dated October 11, 2007, filed as Land Court Document No. 3671372.

The foregoing AMENDMENT NO. 1 AND RESTATEMENT OF DECLARATION OF CONDOMINIUM PROPERTY REGIME OF 1718 ANAPUNI, as amended by AMENDMENT NO. 2 TO DECLARATION OF CONDOMINIUM PROPERTY REGIME OF 1718 ANAPUNI, restates the original Declaration dated ---- (acknowledged December 3, 1979), filed as Land Court Document No. 989272.

4. The terms and provisions contained in the following:

INSTRUMENT : AMENDMENT NO. 1 AND RESTATEMENT OF  
BY-LAWS OF THE ASSOCIATION OF APARTMENT  
OWNERS OF 1718 ANAPUNI

DATED : June 20, 2006  
FILED : Land Court Document No. 3444034

The foregoing Amended and Restated By-Laws restate the original By-Laws dated --- (acknowledged December 3, 1979), filed as Land Court Document No. 989272, and any amendments thereto.

5. Encroachments, if any, which would be shown on a correct survey.
6. Any recorded or unrecorded ground leases and apartment deeds covering apartment units within the Condominium Project known as "1718 ANAPUNI" and matters arising from or affecting the same.

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